

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

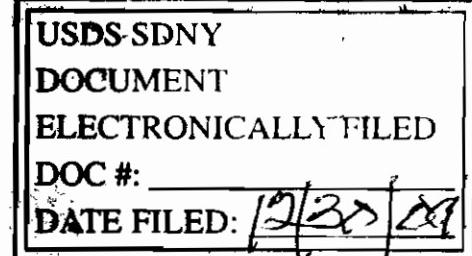
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JAYSON MCCAA,

Plaintiff, : O R D E R

- against - : 09 Civ. 1461 (NRB)

THE STATE OF NEW YORK, et al., :
Defendants. :

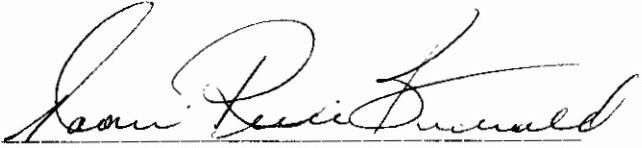
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NAOMI REICE BUCHWALD
UNITED STATES DISTRICT JUDGE



The complaint in this action having been filed on July 13, 2009, and a summons having been issued on August 26, 2009, and the Court having informed plaintiff by letter, dated December 2, 2009, of the obligation pursuant to Rule 4(m) of the Federal Rules of Civil Procedure to serve the summons and complaint within 120 days of filing and receipt of summons, and no response to that letter having been received, and there being no evidence of service, it is hereby

ORDERED that the complaint be dismissed without prejudice.

DATED: New York, New York
December 30, 2009


NAOMI REICE BUCHWALD
UNITED STATES DISTRICT JUDGE